

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

KENYATTI JORDAN,)	
Petitioner)	
)	
v.)	Civil Action No. 1:04-cv-10925
)	
THOMAS REILLY,)	
Respondent)	

MOTION FOR CERTIFICATE OF APPEALABILITY

Now comes the petitioner Kenyatti Jordan and respectfully moves this Honorable Court to issue a certificate of appealability pursuant to 28 U.S.C. §2253(c) and Fed.R.App.P. 22(b) for the following issues. *See Grant-Chase v. Commissioner*, 145 F.3d 431 (1st Cir.), *cert. denied*, 525 U.S. 941 (1998).

1. Did the trial court violate the petitioner's due process rights by denying his motion to suppress?
2. Did the trial court violate the petitioner's constitutional rights by unfairly restricting his cross examination and evidence on motive and bias?

A certificate of appealability is appropriate if the petitioner can show that the issues are debatable among jurists of reason, that a court could resolve the issues differently, or that the questions are adequate to deserve encouragement to proceed further. *See Mahdi v. Marshall*, 976 F.Supp. 93, 94 (D.Mass. 1997). The petitioner asserts that he meets this standard.

In support of his motion, the petitioner relies on his previously filed pleadings and memoranda, incorporated herein by reference.

Respectfully submitted,
By his attorney,

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